

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated September 20, 2005, has been received and its contents carefully reviewed.

Claims 29-59 are rejected to by the Examiner. Claim 45 has been amended, and claim 59 has been canceled. Claims 29-58 remain pending in this application.

In the Office Action, claims 29-44 are rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-28 of prior U.S. Patent No. 6,628,365 (“’365 patent”). Claims 45-59 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. 6,628,365. In addition, claims 29-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant’s Prior Art (APA, Figures 1-3) in view of Japanese Publication No. 05-527136 to Kato (hereinafter “Kato”).

The rejection of claims 29-44 under 35 U.S.C. § 101 is respectfully traversed and reconsideration is requested. In the Office Action, the Examiner states that “it is noted that ‘intersect’ is also defined as ‘overlap’.” Applicants do not necessarily agree with the Examiner’s assertion, however such discussion is moot. The relationship of the words “intersect” and “overlap” are irrelevant to the ultimate distinction in scope of claims 1-28 of the ‘365 patent and claims 29-44 of the present application. That is, claim 29 of the present application recites “a closed main seal” and “a closed dummy seal”, both limitations which are not recited by claim 1 of the ‘365 patent. Therefore, the scope of the claims 29-44 of the present application and claims 1-28 of the ‘365 patent cannot be the same. Therefore, Applicants request that the rejection of claims 29-44 under 35 U.S.C. § 101 be withdrawn.

For similar reasons, Applicants disagree with the Examiner’s rejection of claims 45-59 under the judicially created doctrine of obviousness type double patenting over the ‘365 patent. However, in the interest of expediting the prosecution of the present application, Applicants herewith file a Terminal Disclaimer of claims 45-59 over the ‘365 patent.

Applicants further traverse the rejection of claims 29-59 under 35 U.S.C. § 103(a) as being unpatentable over the Prior Art described in the present application (“APA”) and Japanese Patent Publication No. JP 05-527136 to Kato (“Kato”). In the Office Action, the Examiner asserts that “Kato teaches a shielding part for shutting off light leaking from a backlight formed

to the extreme margin of the sealing pattern.” Office Action at p. 4. Applicants note, however, in spite of Kato’s teaching of “black light shielding part 6,” Kato fails to teach or suggest the features of the claimed invention.

Claims 29-44 are allowable over the cited references in that each of these claims recites a combination of elements including, for example, “a UV shielding part formed at a location where the dummy seal intersects with a cell-cutting line.” None of the cited references including APA and Kato, singly or in combination, teaches or suggests at least this feature of the claimed invention. Namely, Kato teaches “the cutting reference marker 9 is provided under the seal so as not to overlap on the black light shielding part 6.” However, with such structure, the black light shielding part 6 cannot be formed at a location where the dummy seal intersects the cell-cutting line. That is, Kato teaches away from the limitation of the present claims having “a UV shielding part formed at a location where the dummy seal intersects with a cell-cutting line.” Accordingly, Applicant respectfully submits that claim 29 and claims 30-44, which depend from claim 29, are allowable over the cited references.

Similarly, claims 45-58 are allowable over the cited references in that each of these claims recites a combination of elements including, for example, “a UV shielding part is formed at a location where the dummy seal intersects with a cell-cutting line.” None of the cited references including APA and Kato, singly or in combination, teaches or suggests at least this feature of the claimed invention. Namely, Kato teaches “the cutting reference marker 9 is provided under the seal so as not to overlap on the black light shielding part 6.” However, with such structure, the black light shielding part 6 cannot be formed at a location where the dummy seal intersects the cell-cutting line. That is, Kato teaches away from the limitation of the present claims in which “a UV shielding part is formed at a location where the dummy seal intersects with a cell-cutting line.” Accordingly, Applicant respectfully submits that claim 45 and claims 46-58, which depend from claim 45, are allowable over the cited references.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.


If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps

necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. *A duplicate copy of this sheet is enclosed.*

Respectfully submitted,

Dated: December 19, 2005

By 
Rebecca Goldman Rudich
Registration No. 41,786

McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant